

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Continuation Application

Parent  
Application : Scribner et al. Examiner: L. Ngo  
Serial No. : 09/088,459 Group Art Unit: 3731  
Filed : June 1, 1998  
For : Expandable Preformed Structures for Deployment in Interior Body Regions

=====  
**PRELIMINARY AMENDMENT**  
=====

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

Please amend this continuation application prior calculation of the filing fee, as follows:

**IN THE CLAIMS:**

Please cancel claims 1 - 79.

Please consider the following new claims 80 to 91, as attached in clean form:

**Clean Version of New Claims 80 to 91**

80 (New). A device for compacting cancellous bone comprising a wall made from a flexible material resistant to abrasion by cancellous bone, the wall peripherally defining an interior space and including an expandable region preformed with a normally expanded shape outside bone, the expandable region having proximal and distal ends, the expandable region further having a first expanded section having an interior cross-sectional area adjacent the proximal end, a second expanded section having an interior cross-sectional area adjacent the distal end, and a third section having an interior cross-sectional area located between the first and second expanded sections, the interior cross-sectional area of the third section being less than the interior cross-sectional area of either the first or second expanded sections, and the first expanded section, the second expanded section, and the third expanded section further having, respectively, a first average wall thickness, a second average wall thickness, and a third average wall thickness, and the third average wall thickness being greater than either the first average wall thickness or the second average wall thickness.

81 (New). A device according to claim 80

wherein the expandable region, when expanded beyond its normally expanded shape to reach a given inflation volume, presents a maximum diameter less than a sphere expanded to an equal inflation volume.

82 (New). A device according to claim 80

wherein the expandable region includes a further expanded shape, outside bone, having a diameter greater than the normally expanded shape.

83 (New). A device according to claim 82

wherein the expandable region has a further expanded shape inside bone that substantially corresponds to the further expanded shape outside bone.

84 (New). A device according to claim 80

wherein the expandable region is essentially cylindrical.

85 (New). A device according to claim 80

wherein the expandable region expands in a non-spherical manner

86 (New). A device according to claim 80

wherein the expandable region expands in an essentially cylindrical manner.

87 (New). A device for manipulating bone comprising an expandable structure having a wall material peripherally defining an interior space, the wall material being resistant to abrasion by cancellous bone, the structure having a proximal and a distal end, the structure further having a first expandable region located near the distal end and a second expandable region located proximally of the first expandable region, the first and second expandable regions separated by a third region of the structure, the third region having a reduced cross-sectional area as compared to the cross-sectional areas of the first and second regions, and the first expandable region, the second expandable region, and the third expandable region further having, respectively, a first average wall thickness, a second average wall thickness, and a third average wall thickness, and the third average wall thickness being greater than either the first average wall thickness or the second average wall thickness.

88 (New). A device according to claim 87

wherein the wall material of the first expandable region substantially surrounds a first maximum cross-sectional area of the interior space, the wall material of the second expandable region substantially surrounds a second maximum cross-sectional area of the interior space, and the wall material of the third region substantially surrounds a minimum cross-sectional area of the interior space, the first and second maximum cross-sectional areas each being larger than the minimum cross-sectional area.

89 (New). A device according to claim 87

wherein the wall material comprises polyurethane.

90 (New). A device for compacting cancellous bone comprising a wall made from a flexible material resistant to abrasion by cancellous bone, the wall peripherally defining an interior space and including an expandable region, the expandable region having proximal and distal ends, the expandable region further having a first expanded section adjacent the distal end, a second expanded section located proximally of the first expanded section, and a third section located between the first and second expanded sections, wherein the average outer diameter of the third section is less than the average outer diameter of either of the first or second expanded sections, and the first expandable region, the second expandable region, and the third expandable region further having, respectively, a first average wall thickness, a second average wall thickness, and a third average wall thickness, and the third average

Continuation of Parent Application Serial No. 09/088,459  
Preliminary Amendment

wall thickness being greater than either the first average wall thickness or the second average wall thickness.

91 (New). A device according to claim 90  
wherein the expandable region expands in response to introduction of a flowable material  
into the interior space.

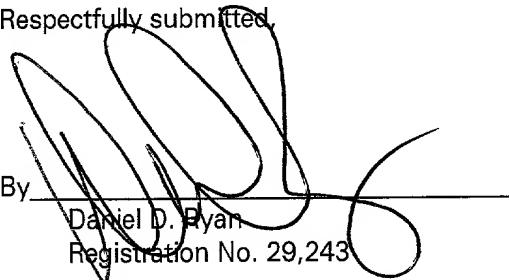
Continuation of Parent Application Serial No. 09/088,459  
Preliminary Amendment

## REMARKS

An Information Disclosure Statement accompanies this amendment.

The Examiner's attention is directed to co-pending related application Serial No. 09/420,529, filed October 19, 1999, entitled "Expandable Preformed Structures for Deployment in Interior Body Regions," which is being examined by Examiner L. Ngo (Group Art Unit 3731).

Respectfully submitted,  
By \_\_\_\_\_  
Daniel D. Ryan  
Registration No. 29,243



RYAN KROMHOLZ & MANION, S.C.  
633 West Wisconsin Avenue  
Milwaukee, Wisconsin 53203  
(414) 271-6555  
April 18, 2001  
088459\_Con\_pa.DDR